

PATENT

ATTORNEY DOCKET NO. 46969-5456

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kazuto SAKEMURA et al.

Application No.: 10/594,904

Filed: September 29, 2006

Title: ELECTRON EMITTING DEVICE AND
MANUFACTURING METHOD THEREOF
AND IMAGE PICK UP DEVICE OR
DISPLAY DEVICE USING ELECTRON
EMITTING DEVICE

Examiner: Unassigned

Group Art Unit: Unassigned

Confirmation No.: Unassigned

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

An International Search Report (ISR) dated July 5, 2005 having documents cited therein was previously submitted in this application on September 29, 2006. The cited documents, or English language patent family member documents relating to the cited documents (as indicated on the previously submitted ISR), are listed on the attached PTO Form 1449 and copies of the non-U.S. cited documents are also attached hereto.

Applicants also bring to the attention of the Examiner that WO 2002/05305, rather than WO 2002/003505 as listed on the ISR, correctly corresponds to JP 2004-503061, also listed on the ISR.

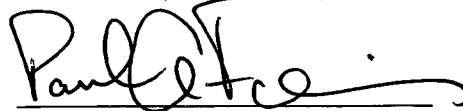
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP



Paul A. Fournier

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Dated: December 6, 2006

CUSTOMER NO. 055694

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.B./

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